

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

GENETIC TECHNOLOGIES LIMITED,)
)
Plaintiff,)
)
v.) 1:12-CV-299
)
GLAXOSMITHKLINE, LLC,)
)
Defendant.)

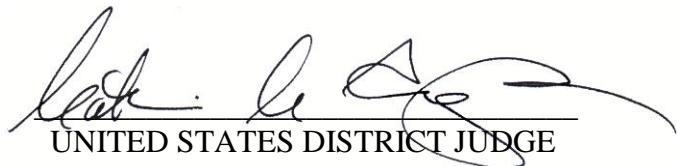
ORDER

This matter is before the Court pursuant to Rule 26(f), Federal Rules of Civil Procedure and LR 102.1. After the Court received the parties' submissions and held a hearing, the plaintiff sought leave to file a Second Amended Complaint, which the Court allowed. That complaint adds claims related to a second patent. Pursuant to the rules and the Court's inherent authority to manage the proceedings, it is **ORDERED** that:

1. The parties may immediately serve written discovery related to whether the '179 patent claims ineligible subject matter and is therefore unpatentable under § 101.
2. Within 35 days of the filing of GSK's Answer or other response to the Second Amended Complaint, the parties shall re-confer as required by Fed. R. Civ. P. 26(f) and LR 102.1 and shall submit a discovery plan no later than fourteen days thereafter.
3. The Court will delay a further scheduling order pending filing of the Answer or other response to the Second Amended Complaint and of the revised discovery plan, and will schedule such hearings as may be appropriate after reviewing those filings.
4. While the Court has made no decisions related to scheduling beyond determining that discovery related to the § 101 issue as to the '179 patent may proceed, the Court's general view is that cases should proceed towards trial as expeditiously as is

reasonably possible. Absent a change of circumstances, the Court is unlikely to approve any discovery plan which does not result in trial within eighteen to twenty-four months from the date the scheduling order is entered. The Court suggests the parties plan accordingly.

This the 30th day of May, 2014.



The image shows a handwritten signature in black ink, consisting of stylized initials and a surname. Below the signature, the words "UNITED STATES DISTRICT JUDGE" are printed in a standard sans-serif font, enclosed within a thin horizontal line.